IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 11504 of 2001

Between:

1. T. Rajive, S/o Ch. Kallappan, aged 42 years, Bendapudi Mandal,
East Godavari District.

2. T. Valsraj, S/o Ch. Kellapan, aged 32 years, Datlvari Street,
Gandhi Nagar, Kakinada.

3. P.K. Pani, S/o P.K. Pani, aged 25 years, D.No.1-10-292-7/1,
Begumpet, Hyderabad 16.

4. B.V. R. Murthy, S/o Visweswara Rao, aged 26 years, Sambamurthy, Street,
Ramarao pet, Kakinada.

5. B. Vijayamohan, S/o Rammohan, aged 28 years, Bendapudi, East
Godavari District.

6. T. Viswanath, S/o Kelappan, aged 26 years, 8-22-18, Datlavari Street,
Kakinada.

7. P.T. Madhavi, /o Ch. Kellapan, aged 31 years, Datlavari street,
Gandhi Nagar, Kakinada.

8. K. Manonmani, W/o P.K. Pani, 1-10-292-7/1, Begumpet,

Hyderaabd 16.

9. T. Geetha, /o Ch. Kellapan, aged 38 years, Gandhi Nagar, Kakinada.

..... PETITIONERS

AND

1. Andhra Pradesh State Financial Corporation,

   Represented by its CDM, 5-9-19,

   Chragali lane, Hyderabad –1.

2. Andhra Pradesh Industrial Development Corporation,

   Represented by its Chairman and Managing Director, Parishramaq bhavan, 5-9-58/B, Fateh Miadan Road,

   Hyderabad 29.

3. State Bank of India,

   Represented by its CDM, Central Office,

   Post Box No.12, Madam cama Road,

   Bombay-400021.

4. Andhra Bank,

   Represented by its CDM, P.O.Box No.519, Central Office,

   Sulthan Bazar, Hyderabad.

5. The Official Liquidator,

   Represented by the Company under liquidation,

   M/s Annavaram Spinning Mills Limited,

   High Court of Andhra Pradesh, Hyderabad.

6. M/s Penna Textiles Limited,

A unit of Penna Cement Industries Limtied,

Represented by its Chairman and Managing Director,

Banjara Hills, Hyderabad.

7. M/s SPS Textiles Limited,

A unit of M/s GER vasavi Group,

Represented by its Chairman and Managing Director,

Banjara Hills, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue appropriate writ or order/s or direction/s more particularly in the nature of writ of Mandamus by calling the records and declare the action of the respondents as illegal, arbitrary, unauthorized and fraudulent and consequently to declare the sale conducted by the respondent No.1 as inoperative, null and void and violative of principles of natural justice, illegal, unauthorized and not binding on the petitioners.

Counsel for the Petitioner: M/s A. RAMANARAYANA, Mr. A. V. GOPALA RAO

Counsel for the Respondent No.1: Mr. Y. N. LOHITA.

Counsel for the Respondent No.3: Mr. PRABHAKAR SRIPADA.

Counsel for the Respondent No.6: Mr. Y. SRINIVASA REDDY

For the Respondent Nos.2, 4, 5 and 7: None appeared.

The Court made the following:

ORDER:

Heard both sides and at their request the writ petition itself is taken up for disposal.

Having regard to the fact that though the challenge made in the writ petition is with regard to the proceedings, there being no stay, the writ petition itself becomes infructuous.

The writ petition is accordingly dismissed as having become infructuous. No costs.

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(B.PRAKASH RAO, J)

Date: 21-09-2004

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To

1. Andhra Pradesh State Financial Corporation,

   Represented by its CDM, 5-9-19,

   Chragali lane, Hyderabad –1.

2. Andhra Pradesh Industrial Development Corporation,

   Represented by its Chairman and Managing Director, Parishramaq bhavan, 5-9-58/B, Fateh Miadan Road,

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8. Two CD copies.